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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number	10/719,617
Filing Date	November 21, 2003
First Named Inventor	HANNAN, Phyllis
Art Unit	1732
Examiner Name	LEE, Edmund H.
Attorney Docket Number	5009131-0005

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <input type="checkbox"/> Remarks Response to Restriction Requirement/Election of Species	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Post Card
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Spencer, Fane Britt & Browne, LLP		
Signature	<i>Glenn K. Robbins II</i>		
Printed name	Glenn K. Robbins II		
Date	November 29, 2005	Reg. No.	33,275

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Typed or printed name	MARGARET B. WILLIAMS	Date	11-29-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/719,617
Applicant : Phyllis A. HANNAN et al
Filed : November 21, 2003
TC/A.U. : 1732
Examiner : Edmund H. LEE
Atty. Docket No. : 5009131-0005
Customer No. : 50379
Title : METHOD FOR CREATING A
COLORED, ENGRAVED MARK
ON A BRICK

Confirmation No. 3136

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as Express Mail and addressed to Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313 on this 29th day of November, 2005.

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EXPRESS MAIL

**RESPONSE TO RESTRICTION AND ELECTION OF
INVENTION REQUIREMENT UNDER 35 U.S.C. § 121**

Sir:

In response to the Office Action dated November 3, 2005, Applicant hereby elects and requests examination on the merits of claims 15 – 17, subject to the traversal of the restriction requirement as argued below.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.